| ST | Powers & Duties  | Membership | Location |
|----|--|------------|----------|
| AK | No sentencing commission is currently active.  | N/A        | N/A      |
|    | Alaska does have the Alaska Judicial Council which is an independent citizen's commission created by the Alaska Constitution and has the following duties:  a. To conduct research and publish reports to improve the administration of justice in Alaska.  b. To screen and nominate applicants for judicial vacancies for appointment by the governor.  c. To evaluate the performance of judges and provide evaluation information and recommendations to voters. |            |          |

| ST | Powers & Duties   | Membership                                | Location     |
|----|---|---|--------------|
| AL | To ensure that sentencing practices promote public safety and recognize     | The Sentencing Commission consists of the | The          |
|    | the impact of crime on victims by concentrating on the incarceration of     | following members:                        | Sentencing   |
|    | violent, sex, and repeat offenders.   | a. The Commissioner of the Department of  | Commission   |
|    | To maintain meaningful judicial discretion allowing judges the flexibility  | Corrections                               | is under the |
|    | to individualize sentences based on the unique circumstances of each        | b. The Chief Deputy Commissioner of the   | purview of   |
|    | case.   | Department of Corrections                 | the Judicial |
|    | To establish a system where the time served in prison will bear a close     | c. A representative                       | Branch.      |
|    | resemblance to the court imposed sentence.                                  | d. A senator                              |              |
|    | To provide for sentencing alternatives, other than incarceration in prison, | e. A district attorney                    |              |
|    | for offenders who can best be supervised and rehabilitated through more     | f. The Director of the Board of Parole    |              |
|    | cost-effective means while still protecting the public.                     | g. A professor                            |              |
|    | To assist the executive branch in avoiding prison overcrowding and          | h. A county commissioner                  |              |
|    | premature release of inmates.   | i. Two practicing attorneys               |              |
|    | To ensure that there exists no unwarranted disparity with respect to        | j. A district judge                       |              |
|    | sentencing of felony offenders.   | k. Two circuit judges                     |              |
|    |   |   |              |
|    |   | The Advisory Counsel consists of 15       |              |
|    |   | additional (non-voting) members           |              |
|    |   |   |              |

| ST | Powers & Duties  | Membership                                    | Location    |
|----|--|---|-------------|
| AR | Power and duties of the Arkansas Sentencing Commission:                    | Membership                                    | Location of |
|    | a. The Arkansas Sentencing Commission is to                                | a. Two members of the public                  | the         |
|    | establish sentencing standards and to monitor and assess the               | b. Two prosecutors                            | Arkansas    |
|    | impact of practices, policies and existing laws on the correctional        | c. Three judges                               | sentencing  |
|    | resources of the state. The sentencing standards structure adopted in      | d. Two defense attorneys                      | commission  |
|    | Arkansas is a voluntary procedure for use by those directly involved in    | e. One legislator who is an ex offico member. | is in the   |
|    | sentencing - judges, prosecutors and defense attorneys. Departure criteria |   | executive   |
|    | and procedures are defined in the Code and the only requirement imposed    |   | branch.     |
|    | for a departure from the presumptive sentence is that written reasons be   |   |             |
|    | provided by the parties to the court when there is an "agreed departure"   |   |             |
|    | from the presumptive sentence. The court shall attach the written reasons  |   |             |
|    | to the judgment and forward them to the Commission.                        |   |             |
|    |  |   |             |
| CA | The California Legislature recently amended a proposal establishing a      | N/A   | N/A         |
|    | sentencing commission. The bill is currently a "shell" bill and states the |   |             |
|    | following:   |   |             |
|    | There is hereby established an independent, multijurisdictional body to    |   |             |
|    | provide a nonpartisan forum for statewide policy development,              |   |             |
|    | information development, research and planning concerning criminal         |   |             |
|    | sentences and their effects.   |   |             |
|    |  |   |             |

| ST | Powers & Duties   | Membership                                     | Location  |
|----|---|--|-----------|
| DE | The Council shall:  | Membership: 27 members: Chief Justice of the   | Executive |
|    | (1) Continuously study the administration of justice in this State and      | Supreme Court, President Judge of the Superior | Branch    |
|    | develop and implement policies and programs for improving the               | Court, Chief Judge of Family Court, Chief      | Agency    |
|    | effectiveness of the criminal justice system in this State                  | Magistrate of the Justice of the Peace Courts, |           |
|    | (2) Receive, consider and, at its discretion, investigate criticisms and    | Attorney General, Public Defender,             |           |
|    | suggestions pertaining to the administration of justice in the State;       | Commissioner of Department of Corrections,     |           |
|    | (3) Submit to the General Assembly each January a program of                | Chief of the Bureau of Adult Correction of the |           |
|    | recommended legislation to improve the criminal justice system;             | Department of Correction, Director of the      |           |
|    | (4) Recommend to the Governor and criminal justice agencies and courts      | Division of Youth Rehabilitation, Chairperson  |           |
|    | of the State or political subdivisions thereof, either upon request or upon | of the Board of Parole, superintendent of the  |           |
|    | the Council's own motion, such changes in rules, organization or methods    | State Police                                   |           |
|    | of operation as it may deem advisable;                                      |  |           |
|    | (5) Review any application for federal funds by any criminal justice        |  |           |
|    | agency or court of the State or political subdivision thereof, prior to the |  |           |
|    | submission of said application or request to the Delaware State             |  |           |
|    | Clearinghouse Committee, and provide the Clearinghouse Committee            |  |           |
|    | with any comments the Council deems appropriate;                            |  |           |
| 1  |   | ı  | I .       |

| ST | Powers & Duties  | Membership  | Location |
|----|--|---|----------|
|    | (6) Allocate among the criminal justice agencies and courts of the State or  | chief of the New Castle County Police             |          |
|    | political subdivisions thereof, all federal funds for the improvement of the | Department, Chief of the Wilmington Police        |          |
|    | state criminal justice system if such funds are provided by the federal      | Department, Chairperson of the Delaware           |          |
|    | government in the form of a block or categorical grant;                      | Police Chiefs' Council, Chief Medical             |          |
|    | (7) Have the authority to collect from any state or local governmental       | Examiner, Secretary of Health and Social          |          |
|    | entity information, reports, statistics or other such material which is      | Services, Secretary of Labor, U.S. Attorney for   |          |
|    | necessary to carry out the Council's function;                               | the District of Delaware, Secretary of            |          |
|    | (8) Provide training and technical assistance to criminal justice agencies;  | Education, Four at-large members appointed by     |          |
|    | (9) Perform such other duties as may be necessary to carry out the           | the Governor, Secretary of the Department of      |          |
|    | chapter;   | Technology and Information, Chief Judge of        |          |
|    | (10) Allocate funds resulting from the certified copy fees for marriage      | the Court of Common Pleas, Secretary of           |          |
|    | license/certificates, pursuant to § 3132(b) of Title 16. Moneys resulting    | Public Safety, sitting judge of the U.S. District |          |
|    | from the copy fees shall constitute The Domestic Violence Fund. The          | Court for the District of Delaware.               |          |
|    | Fund shall be administered by the Criminal Justice Council and shall be      |   |          |
|    | used to make grants to programs providing direct services to victims of      |   |          |
|    | domestic violence and submit an annual report each fiscal year to the        |   |          |
|    | General Assembly delineating how and where the funds were spent.             |   |          |
|    | Delaware has a Sentencing Accountability Commission that establishes         |   |          |
|    | sentencing guidelines (benchbook). However, it also has a Criminal           |   |          |
|    | Justice Council which has more elaborate duties - described below. This      |   |          |
|    | spreadsheet contains information about the Criminal Justice Council, not     |   |          |
|    | the Sentencing Accountability Commission, as the Criminal Justice            |   |          |
|    | Council appears to have responsibilities more in line with the articulated   |   |          |
|    | goal of the Sentencing Subcommittee of the Criminal Code                     |   |          |
|    | Reorganization Committee.  |   |          |

| ST | Powers & Duties   | Membership  | Location     |
|----|---|---|--------------|
| DC | Powers and Duties:  | 20 Commission Members                             | It is an     |
|    | • Develop, implement, monitor, and support the District's voluntary       | (15 Voting, 5 Non-Voting)                         | independent  |
|    | sentencing guidelines.  | • 3 superior court judges                         | commission,  |
|    | Promote fair and consistent sentencing policies.                          | • the director of the court services              | not under    |
|    | • Increase public understanding of sentencing policies and practices.     | • the U.S. attorney                               | the mayor or |
|    | • Conduct an annual review of sentencing data, policies, and practices in | • the attorney general                            | the city     |
|    | D.C.  | • the director of the public defender             | council      |
|    | • Propose reforms in the criminal code to create a uniform and coherent   | • 1 private criminal defense attorney             |              |
|    | body of criminal law in D.C.  | • 1 attorney not specializing in crim law         |              |
|    |   | • 1 professional from an established              |              |
|    |   | organization devoted to research and analysis     |              |
|    |   | of sentencing issues and policies                 |              |
|    |   | • 3 professionals from established                |              |
|    |   | organizations devoted to the research and         |              |
|    |   | analysis of criminal justice issues               |              |
|    |   | • 2 citizens who are not attorneys                |              |
|    |   | • the director of the department of corrections   |              |
|    |   | (non-voting)                                      |              |
|    |   | • the chief of the metropolitan police            |              |
|    |   | department (non-voting)                           |              |
|    |   | • the director of the U.S. bureau of prisons (non | -            |
|    |   | voting)   |              |
|    |   | • the chair of the U.S. parole commission (non-   |              |
|    |   | voting)   |              |
|    |   | • the chair of the council committee overseeing   |              |
|    |   | the Commission (non-voting)                       |              |

| ST | Powers & Duties  | Membership                                       | Location |
|----|--|--|----------|
| IL | Powers and duties of the <b>proposed</b> Sentencing Policy Advisory Council. | Council Composition:                             | Location |
|    | a. Collect and analyze information including sentencing data, crime          | a. One member of the General Assembly            | unknown  |
|    | trends, and existing correctional resources to support legislative and       | appointed by the President of the Senate, the    |          |
|    | executive action affecting the use of correctional resources on the state    | Minority Leader of the Senate, Speaker of the    |          |
|    | and local levels.  | House, and the Minority Leader of the House      |          |
|    | b. Prepare criminal justice population projections annually, including       | b. Three judges, who may be circuit or           |          |
|    | correctional and community-based supervision                                 | appellate court judges, active or retired, to be |          |
|    | c. Analyze data relevant to proposed sentencing legislation and its effect   | appointed by the Supreme Court                   |          |
|    | on current policies or practices, and provide information to support         | c. The Governor, or his or her designee          |          |
|    | evidence-based sentencing.   | d. The Attorney General, or his or her designee  |          |
|    | d. Ensure that adequate resources and facilities are available for carrying  | e. The Cook County State's Attorney, or his      |          |
|    | out sentences imposed on offenders and that rational priorities are          | or her designee                                  |          |
|    | established for the use of those resources. To do so, the Council will       | f. The Cook County Public Defender, or his or    |          |
|    | prepare criminal justice resource statements, identifying the fiscal and     | her designee                                     |          |
|    | practical effects of proposed criminal sentencing legislation, including,    | g. A state's attorney not from Cook County,      |          |
|    | but not limited to, the correctional population, court processes and county  | appointed by the State's Attorney's Appellate    |          |
|    | or local government resources.   | Prosecutor                                       |          |
|    |  | h. The State Appellate Defender, or his or her   |          |
|    |  | designee   |          |
|    |  | i. A representative of probation services,       |          |
|    |  | appointed by the Supreme Court                   |          |
|    |  |  |          |
|    |  | appointed by the Supreme Court                   |          |

| ST | Powers & Duties   | Membership                                       | Location |
|----|---|--|----------|
|    | e. Perform such other studies or tasks pertaining to sentencing policies as | j. A victim of a violent felony or a             |          |
|    | may be requested by the Governor, the Supreme Court or the Illinois         | representative of a crime victims' organization, |          |
|    | General Assembly.   | selected by the members of the Council           |          |
|    | f. Perform such other functions as may be required by law or as are         | designated in subsections (c) (1) (A)-(I)        |          |
|    | necessary to carry out the purposes and goals of the Council prescribed in  | k. A representative of a community-based         |          |
|    | subsection 5 (b).   | organization, selected by the members of the     |          |
|    | g. The Council shall have the power to perform the functions necessary      | Council designated in subsections (c) (1) (A)-   |          |
|    | to carry out its duties, purposes and goals. In so doing, the Council shall | (I)  |          |
|    | utilize information and analysis developed by the Illinois Criminal Justice | 1. A criminal justice academic researcher, to be |          |
|    | Information Authority, the Administrative Office of the Illinois Courts     | selected by the members of the Council           |          |
|    | and the Illinois Department of Corrections.                                 | designated in subsections (c) (1) (A)-(I)        |          |
|    | h. Upon request from the Council, each legislative and executive agency     | m. A representative of law enforcement from a    |          |
|    | and department of state and local government shall provide information      | unit of local government to be selected by the   |          |
|    | and records to the Council in the execution of its duties. Those entities   | members of the Council designated in             |          |
|    | under the jurisdiction of the Supreme Court shall submit information as     | subsections (c) (1) (A)-(I)                      |          |
|    | the Court may direct. Such info and records shall include arrest and crim   | n. A sheriff selected by the members of the      |          |
|    | history records and relevant info from pre-sentence investigation report.   | Council designated in subsections (c) (1) (A)-   |          |
|    |   | (I)  |          |
|    |   | p. Ex-officio members                            |          |

| ST | Powers & Duties   | Membership                                       | Location  |
|----|---|--|-----------|
| KS | Powers and Duties:  | 17 Commission Members                            | Executive |
|    | Develop and maintain a monitoring system that allows for                    | • the chief justice of the supreme court         | Branch    |
|    | comprehensive evaluation of the sentencing guidelines.                      | • 2 district court judges                        | Agency    |
|    | • Forecast the state's adult and juvenile offender populations incarcerated | • 4 members of the legislature                   |           |
|    | in state institutions and determine the impact of proposed legislation on   | • the secretary of corrections                   |           |
|    | the prison population.  | • the chair of the parole board                  |           |
|    | • Assist in the process of educating and training judges, attorneys, court  | • the attorney general                           |           |
|    | services officers, state parole officers, correctional officers, law        | • 1 public defender                              |           |
|    | enforcement officials, and other criminal justice groups in the             | • 1 private defense attorney                     |           |
|    | understanding and application of sentencing guidelines.                     | • 1 county or district attorney                  |           |
|    | • Serve as an information resource for the legislature and various state    | • the director of a community corrections        |           |
|    | criminal justice agencies.  | program  |           |
|    |   | • 1 court services officer                       |           |
|    |   | • 2 members of the general public, at least 1 of |           |
|    |   | whom is a member of a racial minority group      |           |

| ST | Powers & Duties  | Membership                                  | Location  |
|----|--|---|-----------|
| LA | Powers and Duties:   | 23 Commission Members                       | Executive |
|    | The purpose of the Louisiana Sentencing Commission is to assist the      | (19 Voting, 4 Non-Voting)                   | Branch    |
|    | judiciary and the legislature in formulating a uniform sentencing policy | • 1 supreme court justice                   | Agency    |
|    | for use by the Louisiana judiciary. The commission shall conduct an      | • 1 appellate judge                         |           |
|    | annual review of the state's sentencing structure based upon existing    | • 5 district court judges                   |           |
|    | criminal law and law relative to criminal procedure. The commission      | • 1 city court judge                        |           |
|    | may recommend such legislation as may be necessary and appropriate to    | • 2 members of the house of representatives |           |
|    | achieve a uniform sentencing policy.                                     | • 2 senators                                |           |
|    |  | • 2 district attorneys                      |           |
|    |  | • 2 defense attorneys                       |           |
|    |  | • 2 sheriffs                                |           |
|    |  | • 1 felony crime victim                     |           |
|    |  | • 1 representative of the law institute     |           |
|    |  | (non-voting)                                |           |
|    |  | • 1 representative of the commission on     |           |
|    |  | law enforcement and administration          |           |
|    |  | of criminal justice (non-voting)            |           |
|    |  | • the secretary of public safety and        |           |
|    |  | corrections (non-voting)                    |           |
|    |  | • 1 professional with a doctorate in social |           |
|    |  | science or criminal justice (non-voting)    |           |

| ST | Powers & Duties  | Membership                                | Location  |
|----|--|---|-----------|
| MD | Powers and Duties:   | 19 Commission Members                     | Executive |
|    | • Administering the sentencing guidelines system in consultation with the                | • 1 chair appointed by the governor       | Branch    |
|    | General Assembly.  | • the chief judge of the court of appeals | Agency    |
|    | <ul> <li>Providing fiscal and statistical information on proposed legislation</li> </ul> | • 1 circuit court judge                   |           |
|    | concerning sentencing and correctional practice.   | • 1 district court judge                  |           |
|    | <ul> <li>Promoting public understanding of the sentencing process.</li> </ul>            | • 2 senators, including a member of the   |           |
|    |  | judicial proceedings committee            |           |
|    |  | • 2 members of the house of delegates,    |           |
|    |  | including a member of the judicial        |           |
|    |  | proceedings committee                     |           |
|    |  | • the secretary of public safety and      |           |
|    |  | correctional services                     |           |
|    |  | • the attorney general                    |           |
|    |  | • 1 state's attorney                      |           |
|    |  | • the public defender                     |           |
|    |  | • 1 criminal defense attorney             |           |
|    |  | • 1 representative from a victims'        |           |
|    |  | advocacy group                            |           |
|    |  | • 1 representative from law enforcement   |           |
|    |  | • 1 representative of local correctional  |           |
|    |  | facilities                                |           |
|    |  | • 1 recognized expert in the field of     |           |
|    |  | criminal justice or corrections policy    |           |
|    |  | • 2 members of the public                 |           |
|    |  |   |           |

| ST | Powers & Duties   | Membership                                     | Location |
|----|---|--|----------|
| MA | Powers and Duties:  | 15 Commission Members                          | Judicial |
|    | (See enabling legislation for more expansive list of powers and duties.)    | (9 Voting, 6 Non-Voting)                       | Branch   |
|    | Serve as a clearinghouse for the collection, preparation, and dissemination | • 3 judges                                     |          |
|    | of information on sentencing practices and assist courts, departments, and  | • 1 assistant attorney general                 |          |
|    | agencies in the development, maintenance, and coordination of sound         | • 2 assistant district attorneys               |          |
|    | sentencing practices;   | • 1 public defender                            |          |
|    | Make recommendations to the legislature concerning modification or          | • 2 members of the association of criminal     |          |
|    | enactment of laws relating to crimes, sentencing, and correctional matters, | defense attorneys                              |          |
|    | as well as recommendations concerning programmatic, budgetary and           | • the commissioner of corrections (non-voting) |          |
|    | capital matters that the commission finds to be necessary and advisable to  | • the commissioner of probation (non-voting)   |          |
|    | carry out the purposes of this chapter.                                     | • the secretary of public safety (non-voting)  |          |
|    |   | • the chair of the parole board (non-voting)   |          |
|    |   | • the president of the sheriffs' association   |          |
|    |   | (non-voting)                                   |          |
|    |   | • 1 victim-witness advocate (non-voting)       |          |
|    |   |  |          |
|    |   |  |          |
|    |   |  |          |
|    |   |  |          |
|    |   |  |          |

| ST | Powers & Duties   | Membership                                   | Location |
|----|---|--|----------|
| MI | Powers and Duties   | The sentencing commission does not currently | Judicial |
|    | No sentencing commission is currently in place.                           | exist so there are no members                | Branch   |
|    | • Sentencing Guidelines apply to felony offenses in MCL 777.11 to         |  |          |
|    | 777.19 committed on or after 1/1/1999                                     |  |          |
|    | • Includes 7 prior record variables to determine offender's "PRV level"   |  |          |
|    | and corresponds to the horizontal axis on the appropriate sentencing grid |  |          |
|    | o "10 year gap rule" in determining whether a prior crime must be         |  |          |
|    | considered on the prior record variable                                   |  |          |
|    | • The crime group determines which offense variables must be scored.      |  |          |
|    | The offense variable corresponds to the vertical axis in the sentencing   |  |          |
|    | grid  |  |          |
|    | o Crime groups are separated into 7 categories (Crimes against a person,  |  |          |
|    | property, public order, public safety, public trust, or involving a       |  |          |
|    | controlled substance)   |  |          |
|    | o Different Offensive Variables are scored depending on the crime group   |  |          |
|    | category  |  |          |
|    | • Using the appropriate sentencing grid depending on the class of the     |  |          |
|    | crime, a recommended minimum sentence can be determined                   |  |          |
|    |   |  |          |

| ST | Powers & Duties  | Membership                                      | Location   |
|----|--|---|------------|
| MN | Powers and Duties:   | 11 Members:                                     | Agency of  |
|    | The sentencing guidelines embody the following principles:                   | • the Chief Justice of the Minnesota Supreme    | State      |
|    | 1. Sentencing should be neutral with respect to the race, gender, social, or | Court or a designee                             | Government |
|    | economic status of convicted felons.   | • a Judge from the Minnesota Court of Appeals   |            |
|    | 2. While commitment to the Commissioner of Corrections is the most           | • a District Court Judge                        |            |
|    | severe sanction that can follow conviction of a felony, it is not the only   | a Public Defender                               |            |
|    | significant sanction available to the sentencing judge. Development of a     | • a County Attorney                             |            |
|    | rational and consistent sentencing policy requires that the severity of      | • the Commissioner of Corrections or a          |            |
|    | sanctions increase in direct proportion to increases in the severity of      | designee  |            |
|    | criminal offenses and the severity of criminal histories of convicted        | • a Peace Officer                               |            |
|    | felons.  | • a Probation or Parole Officer                 |            |
|    | 3. Because the capacities of state and local correctional facilities are     | • three members from the general public, one of |            |
|    | finite, use of incarcerative sanctions should be limited to those convicted  | whom must be the victim of a felony crime       |            |
|    | of more serious offenses or those who have longer criminal histories. To     |   |            |
|    | ensure such usage of finite resources, sanctions used in sentencing          |   |            |
|    | convicted felons should be the least restrictive necessary to achieve the    |   |            |
|    | purposes of the sentence.  |   |            |
|    |  |   |            |
|    |  |   |            |
|    | 4. While the sentencing guidelines are advisory to the sentencing judge,     |   |            |
|    | departures from the presumptive sentences established in the guidelines      |   |            |
|    | should be made only when substantial and compelling circumstances            |   |            |
|    | exist.   |   |            |
|    | - The presumptive sentence for any offender convicted of a felony            |   |            |
|    | committed on or after May 1, 1980, is determined by locating the             |   |            |
|    | appropriate cell of the Sentencing Guidelines Grids.                         |   |            |

| ST | Powers & Duties  | Membership                                       | Location     |
|----|--|--|--------------|
| MO | Powers and Duties  | 11 Members:                                      | MOSAC is     |
|    | - The Commission is charged with developing a system of recommended      | One member shall be appointed by the speaker     | an advisory  |
|    | sentences, in addition to studying sentencing practices for disparities  | of the house. One member shall be appointed      | body in      |
|    | among the various circuit courts with respect to the length of sentences | by the president pro tem of the senate. One      | conjunction  |
|    | and use of probation.  | member shall be the director of the department   | with State   |
|    | - The commission shall compile statistics, examine cases, draw           | of corrections. Six members shall be appointed   | Courts,      |
|    | conclusions, and perform other duties relevant to the research and       | by and serve at the pleasure of the governor     | Department   |
|    | investigation of disparities in death penalty sentencing among economic  | from among the following: the public defender    | of           |
|    | and social classes.  | commission; private citizens; a private member   | Corrections, |
|    | - The commission shall establish a system of recommended sentences,      | of the Missouri Bar; the board of probation and  | Board of     |
|    | within the statutory minimum and maximum sentences provided by law       | parole; and a prosecutor. Two members shall      | Probation    |
|    | for each felony  | be appointed by the supreme court, one from a    | and Parole,  |
|    | - The commission shall study alternative sentences                       | metropolitan area and one from a rural area. All | Judges,      |
|    |  | members shall be appointed to a four-year        | Prosecutors, |
|    |  | term.  | Public       |
|    |  |  | Defenders,   |
|    |  |  | Defense      |
|    |  |  | Attorneys    |
|    |  |  | and the      |
|    |  |  | public       |
|    |  |  |              |

| ST | Powers & Duties  | Membership  | Location |
|----|--|---|----------|
| NC | Specifically, the Commission was directed to:                          | (1) The Chief Justice of the North Carolina       | Judicial |
|    | • Classify criminal offenses into felony and misdemeanor categories on | Supreme Court shall appoint a sitting or former   | Branch   |
|    | the basis of their severity;   | Justice or judge of the General Court of Justice, |          |
|    | • Recommend structures to be used by a sentencing court in determining | who shall serve as Chairman of the                |          |
|    | the most appropriate sentence to be imposed in a criminal case;        | Commission;                                       |          |
|    | Develop a correctional population simulation model;                    | (2) The Chief Judge of the North Carolina         |          |
|    | Recommend a comprehensive community corrections strategy and           | Court of Appeals, or another judge on the         |          |
|    | organizational structure for the State; and,                           | Court of Appeals, serving as his designee;        |          |
|    | • Study and make additional policy recommendations.                    | (3) The Secretary of Correction or his designee;  |          |
|    |  | (4) The Secretary of Crime Control and Public     |          |
|    |  | Safety or his designee;                           |          |
|    |  | (5) The Chairman of the Parole Commission,        |          |
|    |  | or his designee;                                  |          |
|    |  | (6) The President of the Conference of Superior   |          |
|    |  | Court Judges or his designee;                     |          |
|    |  | (7) The President of the District Court Judges    |          |
|    |  | Association or his designee;                      |          |
|    |  | (8) The President of the North Carolina           |          |
|    |  | Sheriff's Association or his designee;            |          |
|    |  | (9) The President of the North Carolina           |          |
|    |  | Association of Chiefs of Police or his designee;  |          |
|    |  | (10) One member of the public at large, who is    |          |
|    |  | not currently licensed to practice law in North   |          |
|    |  | Carolina, to be appointed by the Governor;        |          |
|    |  | (11) One member to be appointed by the            |          |
|    |  | Lieutenant Governor;                              |          |

| T Powers & Duties | Membership Location                            |
|-------------------|--|
|                   | (12) Three members of the House of             |
|                   | Representatives, to be appointed by the        |
|                   | Speaker of the House;                          |
|                   | (13) Three members of the Senate, to be        |
|                   | appointed by the President Pro Tempore of the  |
|                   | Senate;  |
|                   | (14) The President Pro Tempore of the Senate   |
|                   | shall appoint the representative of the North  |
|                   | Carolina Community Sentencing Association      |
|                   | that is recommended by the President of that   |
|                   | organization;                                  |
|                   | (15) The Speaker of the House of               |
|                   | Representatives shall appoint the member of    |
|                   | the business community that is recommended     |
|                   | by the President of the North Carolina Retail  |
|                   | Merchants Association;                         |
|                   | (16) The Chief Justice of the North Carolina   |
|                   | Supreme Court shall appoint the criminal       |
|                   | defense attorney that is recommended by the    |
|                   | President of the North Carolina Academy of     |
|                   | Trial Lawyers;                                 |
|                   | (17) The President of the Conference of        |
|                   | District Attorneys or his designee;            |
|                   | (18) The Lieutenant Governor shall appoint the |
|                   | member of the North Carolina Victim            |
|                   | Assistance Network that is recommended by      |

| ST Powers & Duties | Membership Location                              |
|--------------------|--|
|                    | (19) A rehabilitated former prison inmate, to be |
|                    | appointed by the Chairman of the Commission;     |
|                    | (20) The President of the North Carolina         |
|                    | Association of County Commissioners or his       |
|                    | designee;  |
|                    | (21) The Governor shall appoint the member of    |
|                    | the academic community, with a background in     |
|                    | criminal justice or corrections policy, that is  |
|                    | recommended by the President of The              |
|                    | University of North Carolina;                    |
|                    | (22) The Attorney General, or a member of his    |
|                    | staff, to be appointed by the Attorney General;  |
|                    | (23) The Governor shall appoint the member of    |
|                    | the North Carolina Bar Association that is       |
|                    | recommended by the President of that             |
|                    | organization.                                    |
|                    | (24) A member of the Justice Fellowship Task     |
|                    | Force, who is a resident of North Carolina, to   |
|                    | be appointed by the Chairman of the              |
|                    | Commission.                                      |
|                    | (25) The President of the Association of Clerks  |
|                    | of Superior Court of North Carolina, or his      |
|                    | designee.  |
|                    | (26) A representative of the Department of       |
|                    | Juvenile Justice and Delinquency Prevention.     |
|                    |  |

| ST | Powers & Duties  | Membership                                   | Location |
|----|--|--|----------|
| ОН | The General Assembly created the Sentencing Commission in Ohio             | 31 Members:                                  | Judicial |
|    | Revised Code §§181.21 through 181.26 to:                                   | one appellate judge                          | branch   |
|    | • Study Ohio's criminal laws, sentencing patterns, and juvenile offender   | three municipal or county judges             |          |
|    | dispositions;  | three juvenile court judges                  |          |
|    | • Recommend comprehensive plans to the General Assembly that               | three other common pleas judges              |          |
|    | encourage public safety, proportionality, uniformity, certainty, judicial  | a county, juvenile, and municipal prosecutor |          |
|    | discretion, deterrence, fairness, simplification, more sentencing options, | two defense attorneys                        |          |
|    | victims' rights, and other reasonable goals;                               | a Bar Association representative             |          |
|    | • Review correctional resources and make cost-effective proposals;         | a sheriff                                    |          |
|    | Work with the General Assembly as the plans are debated;                   | two police chiefs                            |          |
|    | • Work to implement any plans once adopted (training, etc.);               | a crime victim                               |          |
|    | • Monitor the changes and periodically report on their impact to the       | a county commissioner                        |          |
|    | General Assembly; and  | a mayor                                      |          |
|    | • Review related bills introduced in the General Assembly and study        | four members of the General Assembly, one    |          |
|    | sentencing and dispositions in other states.                               | from each caucus                             |          |
|    |  | State Public Defender                        |          |
|    |  | Director of Rehabilitation and Correction    |          |
|    |  | Director of Youth Services                   |          |
|    |  | Superintendent of the Highway Patrol         |          |

| ST | Powers & Duties  | Membership  | Location |
|----|--|---|----------|
| OR | Powers and Duties:   | The chairperson shall appoint members of          |          |
|    | The Criminal Justice Commission's purpose is to improve the efficiency     | committees to ensure representation from all      |          |
|    | and effectiveness of state and local criminal justice systems by providing | segments of the criminal justice system.          |          |
|    | a centralized and impartial forum for statewide policy development and     | Members for committee assignments, may            |          |
|    | planning. The commission is charged with developing a long-range public    | include, but is not limited to, representatives   |          |
|    | safety plan for Oregon, which includes making recommendations on the       | from the following:                               |          |
|    | capacity and use of state prisons and local jails, implementation of       | (a) The Attorney General, (b) The Director of     |          |
|    | community corrections programs and methods to reduce future criminal       | the Department of Corrections, (c) The            |          |
|    | conduct. In addition, the Commission has a role in funding and evaluating  | •   |          |
|    | Oregon's drug courts. The commission also conducts research, develops      | Post-Prison Supervision, (d) The                  |          |
|    | •  | Superintendent of State Police, (e) The chief     |          |
|    | clearinghouse, administers Oregon's felony sentencing guidelines and       | administrative employee of the Psychiatric        |          |
|    | provides staff to the advisory committees regarding asset forfeiture and   | Security Review Board, (f) The Director of        |          |
|    | racial profiling.  | Human Services, (g) The Director of the           |          |
|    |  | Oregon Youth Authority, (h) Trial judges, (i)     |          |
|    |  | Judges of the Oregon Supreme Court or Court       |          |
|    |  | of Appeals, (j) Majority and minority parties of  |          |
|    |  | the House of Representatives and the Senate,      |          |
|    |  | (k) District attorneys, (L) Criminal defense      |          |
|    |  | attorneys, (m) County sheriffs, (n) County        |          |
|    |  | commissioners, (o) County community               |          |
|    |  | corrections directors, (p) Chiefs of police, (q)  |          |
|    |  | Victims of crime, (r) The public at large, (s)    |          |
|    |  | The director of a crime prevention nonprofit, (t) |          |
|    |  | Private contract providers                        |          |

| ST | Powers & Duties   | Membership   | Location   |
|----|---|--|--|
| PA | A) Make recommendations to the General Assembly concerning modification or enactment of sentencing, parole and correctional statutes which the commission finds to be necessary and advisable to carry out an effective, humane and rational sentencing policy. B) Establish a research and development program within the commission that will: 1) serve as a clearing house and information center for the collection, preparartion and dissemination of information on Commonwealth sentencing, resentencing and parole practices, 2) assist an serve in a constulting capacity to the board, State courts, departments and agencies in the development, maintenance and coordination of sound sentencing, resentencing and parole practices.  | criminologist; the Secretary of Corrections - ex-<br>officio; victim advocate - ex-officio.  | An agency of state government.   |
| TN | Tennessee's Task Force on the Use of Enhancement Factors in Criminal Sentencing no longer exists, the following is a timeline of the task force and adopted legislation:  On July 22, 2004, the Governor signed Executive Order #19, which established the Governor's Task Force on the Use of Enhancement Factors in Criminal Sentencing. This was done because of the June 24, 2004, U.S. Supreme Court ruling in Blakely v. Washington. The task force was charged with 1) determining whether the impact of the Blakely decision on Tennessee's sentencing laws is of such breadth and severity that the General Assembly should hold a special session to revise sentencing laws; and 2) recommend any appropriate legislation to address the issues raised by the Blakely decision. | Commissioner of Correction; Chairman of the Board of Probation and Parole; eight members appointed by Governor representing appellate judges; criminal trial judges; general session court judges; district attorneys; public defenders; criminal defense lawyers and victims of crimes; the Chair of the committee (from those appointed by the Governor) had the authority to appoint up to five ex-officio, nonvoting members to serve in an advisory capacity. | Attached to<br>the Office of<br>the<br>Governor<br>for<br>administrati<br>ve purposes,<br>and the<br>Admin<br>Office of the<br>Courts<br>agreed to<br>provide<br>support<br>staff. |

| ST | Powers & Duties   | Membership | Location |
|----|---|------------|----------|
|    | The task force delivered a final report and legislation on February 16, |            |          |
|    | 2005. The legislation was known as the "Criminal Sentencing Reform      |            |          |
|    | Act of 2005," this was signed into law on June 7, 2005. The Act         |            |          |
|    | eliminated presumptive sentencing and replaced it with a series of      |            |          |
|    | guidelines that includes enhancement and mitigating factors and a       |            |          |
|    | statement of principles and sentencing considerations. Judges are       |            |          |
|    | required to consider, but not bound by the advisory guidelines, in      |            |          |
|    | determining an appropriate sentence within the ranges set by statute.   |            |          |
|    | On July 13, 2005, the Governor signed Executive Order #25, which made   |            |          |
|    | amendments to Executive Order #19. The Order extended the Governor's    |            |          |
|    | Task Force on the Use of Enhancement Factors in Criminal Sentencing     |            |          |
|    | until October 31, 2008, and charged the task force with monitoring and  |            |          |
|    | assessing the impact of the 2005 Act, including reviewing the impact of |            |          |
|    | the Act on the state's prison population.                               |            |          |

| ST | Powers & Duties  | Membership                                       | Location   |
|----|--|--|------------|
| UT | The Utah Sentencing Commission develops sentencing guidelines for          | 27 Members: one from the Court of Appeals;       | Under      |
|    | adult and juvenile offenders and proposes recommendations to all three     | two District Court Judges; two Juvenile Court    | Governor's |
|    | branches of government regarding the sentencing and release of adult and   | Judges; two Senators; two Representatives; one   | Office.    |
|    | juvenile offenders. They created a policy statement to guide them in their | from the Commission of Criminal and Juvenile     |            |
|    | efforts.   | Justice; one from the Dept. of Corrections; one  |            |
|    |  | from the Board of Pardons and Parole; one        |            |
|    |  | from the Dept. of Adult Treatment; one from      |            |
|    |  | the Youth Parole Authority; one from the         |            |
|    |  | Juvenile Justice Services; one from the Dept. of |            |
|    |  | Juvenile Treatment; one from the Attorney        |            |
|    |  | General's Office; one from the Statewide         |            |
|    |  | Association of Prosecutors; one Juvenile         |            |
|    |  | Prosecutor; two from the Bar; one from the Salt  |            |
|    |  | Lake Legal Defenders; one from the Police        |            |
|    |  | Chiefs' Association; one from the Sheriffs'      |            |
|    |  | Association; one Victim Representative; one      |            |
|    |  | Ethnic Representative; one Citizen               |            |
|    |  | Representative.                                  |            |
|    |  |  |            |

| ST | Powers & Duties  | Membership  | Location     |
|----|--|---|--------------|
| VA | A) Develop, maintain and modify as necessary, a proposed system of         | 17 Members: six judges or justices; one person    | Within the   |
|    | statewide discretionary sentencing guidelines for use in all felony cases  | who is not an active member of the judiciary;     | Judicial     |
|    | which will take into account historical data for time served prior to      | Chairperson of the House Committee for            | Branch as    |
|    | January 1, 1995, and sentenced imposed for various felony offenses         | Courts of Justice; two persons appointed by the   | an agency of |
|    | committed on or after January 1, 1995, and other relevant factors. B)      | Speaker of the House; Chairperson of the          | the Virginia |
|    | Prepare, update, and distribute sentencing worksheets to be used by the    | Senate Committee for Courts of Justice; one       | Supreme      |
|    | sentencing courts. These worksheets will produce a recommended             | person appointed by the Senate Committee on       | Court.       |
|    | sentencing range for a felony offense in accordance with the discretionary | Rules; four persons appointed by the Governor     |              |
|    | sentencing guidelines. C) Prepare, update, and distribute a form to assist | (at least one must be a representative of a crime |              |
|    | the sentencing courts in recording the reason or reasons for imposing a    | victims' organization or a victim of crime); and  |              |
|    | sentence in a felony case which is greater or less than recommended by     | the Attorney General.                             |              |
|    | the sentencing guidelines. D) Prepare guidelines for sentencing courts to  |   |              |
|    | use in determining appropriate candidates for alternative sanctions. E)    |   |              |
|    | Develop an offender risk assessment instrument for all felony cases that   |   |              |
|    | will predict the relative risk that a felon will become a threat to public |   |              |

| ST | Powers & Duties   | Membership                                      | Location     |
|----|---|---|--------------|
| WA | Evaluate and monitor adult and juvenile sentencing policies and practices     | 24 Members: four Superior Court judges; two     | An agency    |
|    | and recommend modifications to the Governor and Legislature. Serve as a       | county prosecutors; two defense attorneys; one  | of state     |
|    | clearinghouse and information center on and adult and juvenile                | sheriff or police chief; one juvenile court     | government.  |
|    | sentencing. (Details available at website listed under enabling legislation.) | administrator; one elected county official; one |              |
|    |   | elected city official; four citizens (including |              |
|    |   | one victims' advocate); the Secretary of        |              |
|    |   | Corrections (nonvoting); Assistant Secretary of |              |
|    |   | Dept. of Social and Health Services - Juvenile  |              |
|    |   | Rehabilitation Administration (nonvoting);      |              |
|    |   | Chair of the Indeterminate Sentence Review      |              |
|    |   | Board (nonvoting); Director of Office of        |              |
|    |   | Financial Management (nonvoting); and four      |              |
|    |   | members from the legislature - one from each    |              |
|    |   | party within each chamber (nonvoting).          |              |
|    |   |   |              |
| WI | This commission and its statutory provisions were eliminated under            | 18 Members: the Attorney General; the State     | Under the    |
|    | Wisconsin's 2007-09 Biennium Budget, so the collection and analyzation        | , 11  | Department   |
|    | of sentening guideline worksheets has stopped. However, sentencing            | two cannot be employed by government; four      | of           |
|    | courts are still required to consider the guidelines.                         | legislative members - one member from each      | Administrati |
|    |   | party in each chamber; two Circuit court        | on           |
|    |   | Judges - appointed by the Supreme Court; one    |              |
|    |   | Crime Victims Representative - appointed by     |              |
|    |   | the Governor; one Prosecutor - appointed by     |              |
|    |   | the Attorney General; one Private Attorney -    |              |
|    |   | appointed by the State Bar; the Secretary of    |              |
|    |   | Corrections (nonvoting); Chairperson of the     |              |
|    |   | Parole Commissions (nonvoting); Director of     |              |
|    |   | the State Courts (nonvoting).                   |              |